

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

Martha Yajaira Gonzalez-Perales PRINCIPAL

A208 279 293

YOB: 1991

United Mexican States

United States District Court
Southern District of Texas
FILED

JUL 02 2015

CRIMINAL COMPLAINT

Case Number:

M-15-1070-M

(Name and Address of Defendant)

Clerk of Court

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about 6/30/2015 in Starr County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Mario Tomas-Amezcuca and Virginia Vargas-Huipé, both citizens and nationals of the United Mexican States, for a total of two (2), who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Roma, Texas to the point of arrest near Roma, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On June 30, 2015, Rio Grande City Border Patrol Agents conducting line-watch duties in Roma, Texas responded to assist on Roma Police which resulted in a 2 on 2 Criminal Alien Smuggling Case.

On Tuesday June 30, 2015 at approximately 10:25 P.M., Border Patrol Agent Juan Gonzalez was notified via service radio that the Roma, Texas Police Department was requesting Border Patrol assistance to identify several subjects within a consensual encounter at 1104 Ozarka Street in Roma, Texas. BPA Gonzalez responded and arrived at 1104 Ozarka Street in Roma, Texas at approximately

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Rolando C. A. L.
Rolando C. A. L. 07/02/15

Signature of Complainant

Sworn to before me and subscribed in my presence,

July 2, 2015

Date

Dorina Ramos

U. S. Magistrate Judge

Name and Title of Judicial Officer

Andrew Johnson

Senior Patrol Agent

Printed Name of Complainant

at McAllen, Texas

City and State

Dorina Ramos

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
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M-15-1070-M

RE: Martha Yajaira Gonzalez-Perales

A208 279 293

CONTINUATION:

10:30 P.M. and met with Roma Police Department Officer Rodriguez and Officer Garza.

Officer Rodriguez informed BPA Gonzalez that he had received information from the owner of a restaurant (Las Alitas) in Roma, Texas. The restaurant owner claimed that on a daily basis he witnessed aliens being picked up by an orange Chevy HHR. Officer Rodriguez stated that about 10:07 P.M. (June 30, 2015) he received text messages from the owner stating that he had seen several subjects getting picked up by an Orange Chevy HHR. Officer Rodriguez and Officer Garza proceeded to drive through the residential area in hopes of finding the vehicle matching the description given.

At approximately, 10:12 P.M. (June 30, 2015), both Officer Garza and Rodriguez observed a vehicle matching the description. The vehicle was parked in front of a house when the officers decided to further investigate. As Officer Rodriguez approached the vehicle, he observed the passenger walk to the front door of the apartment where he was staying. Officer Rodriguez approached the driver of the vehicle, Gonzalez-Perales, Martha Yajaira, and asked her what she was doing. Officer Rodriguez stated that Gonzalez, responded by saying "I was just giving them a ride because I felt sorry for them and I found it easy to pick them up". Officer Rodriguez and Officer Garza then approached the vehicle and observed two subjects in the back seat identified as: Mario Tomas-Amezcu and Virgina Vargas-Huipé.

At that time, BPA Gonzalez proceeded to question the driver GONZALEZ-Perales, Martha Yajahira as to her citizenship. GONZALEZ-Perales freely and willingly admitted to being illegally in the United States with no documentation to be or remain in the United States. BPA Gonzalez then proceeded to question the remaining three subjects as to their citizenship. All subjects freely admitted to being illegally in the United States. They also freely admitted they are all Mexican citizens with no documents authorizing them to be present legally in the United States of America.

All subjects were then transported to the Rio Grande City, Texas Border Patrol Station for processing.

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A208 279 293

CONTINUATION:

PRINCIPAL STATEMENT

Upon arrival at the Rio Grande City Border Patrol Station Martha Yajahira GONZALEZ-Perales was read her Miranda Rights. She understood her rights and provided a statement without an attorney present. Gonzalez stated that she and her friend had gone to the Wal-Mart in Rio Grande City, Texas. On their way back to Roma, Texas, Gonzalez received a phone call from a subject nicknamed "Cheyo". He asked her if she would do him a favor and if she wanted to make some money. Gonzalez stated that "Cheyo" instructed her go to the restaurant called "Las Alitas" and pick up two illegal aliens. She then needed to take them to the corner of La Fragua Street in Roma, Texas, where a second vehicle (black truck that has blue lights) would pick them up. Gonzalez stated that she picked up the two illegal aliens and told "Cheyo" over the phone that she was already taking them to the drop off point. Gonzalez stated that she was going to be paid \$75 dollars per person. Gonzalez also claims she has had picked up illegal aliens once before today. That time she picked up three illegal aliens and was transporting them to Laredo, Texas.

MATERIAL WITNESSES STATEMENTS

1) Mario Tomas-Amuezca was read his Miranda Rights. Tomas understood his rights and provided a statement without an attorney present. Tomas stated he and his wife (Virgina VARGAS-Huipé) made smuggling arrangements in Monterrey, Nuevo Leon, Mexico with a lady name "Maria". Tomas stated he was going to pay \$ 4,800 USD, each person, to be smuggled into the United States. Maria gave them instructions to take a bus to Miguel Aleman, Tamaulipas, Mexico. Tomas stated once in Miguel Aleman they took a taxi to the river, where a guide crossed with them shortly after. Tomas stated they walked across the river, and the water was up to his neck. Once in the United States along the river's edge the guide instructed them to go inside a church and if the church was not open to go into a restaurant. Tomas-Amuezca stated that he and his wife made their way to a restaurant and ordered food. They sat down and ate on a table located outside the restaurant. Tomas stated that a 4 door SUV type Chrysler parked in front of where they were sitting. Tomas stated that the driver lowered her window and asked them if they wanted a ride. Tomas stated the female drove until arriving into a parking lot where the police pulled her

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CONTINUATION:

over. Tomas described the driver as light skinned heavy set female with black hair. Tomas identified Martha Yajahira Gonzalez-Perales in a photo lineup as the driver of the vehicle.

2.) Virginia VARGAS-Huipé was read her Miranda Rights. She understood her rights and provided a statement without an attorney present. Vargas stated she left her hometown in Mexico accompanied with her husband (Mario Tomas-Amuezca) who made all the smuggling arrangements. Vargas stated once in Miguel Aleman, Tamaulipas they took a taxi to the river and met with a guide. Vargas stated they walked across the river, the water was up to her chin. Once at the river's edge the guide instructed them to go inside one of the restaurants up on the top and wait for the load vehicle. Vargas stated they walked into one of the fast food restaurants and ate a hamburger, minutes later a vehicle parks in front of where they were sitting and waves them in. Vargas stated they walked out of the restaurant towards the car and as they approached the vehicle the driver lowered her window and told them to get inside. Vargas stated the driver never talked to them. Vargas described the vehicle as an orange color SUV type of car. Vargas stated the female drove for about 7 minutes until being pulled over by the police. Vargas described the driver as light skinned heavy set female with black hair with a tattoo of a marijuana leaf in her forearm. Vargas identified Martha Yajahira Gonzalez-Perez in a photo lineup as the driver of vehicle.